

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

|                           |   |                      |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, | ) |                      |
|                           | ) |                      |
| Plaintiff,                | ) |                      |
|                           | ) |                      |
| v.                        | ) | Criminal Action No.  |
|                           | ) | 06-00269-01-CR-W-NKL |
| D'ANDRE D. JONES,         | ) |                      |
|                           | ) |                      |
| Defendant.                | ) |                      |

**REPORT AND RECOMMENDATION**

On February 8, 2007, counsel for Defendant filed a motion pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency (Doc. No. 40). Defendant was examined by Dr. John H. Wisner, M.D., who prepared a report dated March 21, 2007.

On April 4, 2007, I held a competency hearing. Defendant was present, represented by appointed counsel Travis Poindexter. The government was represented by Christina Tabor. During the hearing, both parties stipulated to the contents and findings of Dr. Wisner's report (Tr. at 2-3) and waived the ten-day objection period to this report and recommendation (Tr. at 3).

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that Defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding Defendant competent to stand trial and to assist in his defense.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
April 9, 2007